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*Attorneys for Defendants Frank Petosa,
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MELISSA HUTCHISON aka PHOENIX
MARIE, an individual,

Plaintiff,

vs.

ETHICAL CAPITAL PARTNERS, a foreign
entity; AYLO PREMIUM LTD., a foreign
corporation; DM PRODUCTIONS, a foreign
entity; DIGITAL PLAYGROUND, a foreign
entity; MIND GEEK USA
INCORPORATED, a foreign entity; MG
PREMIUM LTD, a foreign entity; DM
PRODUCTIONS, a foreign entity; DIGITAL
PLAYGROUND, a foreign entity; DANNY
MARTIN aka DANNY D, an individual;
FRANK PETOSA an individual; RYAN
HOGAN, an individual; MICHAEL
WOODSIDE, an individual; and DOES 1
through 50,

Defendants.

Case No.: 2:24-cv-00673-GMN-BNW

**JOINT STATUS REPORT
REGARDING REMOVAL**

Pursuant to this Court's Minute Order dated April 8, 2024, [ECF No.4], Defendants Frank Petosa, Ryan Hogan, and Michael Woodside (collectively, the "Removing Defendants") and Plaintiff Melissa Hutchison aka Phoenix Marie ("Plaintiff") state as follows:

1. Status of this action, including any pending motions or other matters which require the attention of this Court.

On February 15, 2024, Plaintiff filed her Civil Complaint in the action styled *Melissa Hutchison v. Ethical Capital Partners, et al.*, and assigned Case No. A-24-887250-C (the “State Action”) in the District Court for Clark County, Nevada. On April 5, 2024, the Removing Defendants had not yet been served with a copy of the Complaint or Summons and timely removed the State Action to this Court. [ECF No. 1]. On April 23, 2024, the Removing Defendants timely filed their Statement of Removal. [ECF No. 8]. On May 2, 2024, Plaintiff filed her First Amended Complaint (“FAC”). [ECF No. 9].

2. Action required to be taken by this Court.

The Removing Defendants have not been served with a copy of the Summons and the FAC as required by the Rules.¹ See LR IC 4-1(c)(1). At this time, there are no motions pending before this Court, and no action is required to be taken by this Court, pending service of the Summons and Complaint on the Removing Defendants and/or an agreement to accept or waive service of the Summons and Complaint.

DATED this 8th day of May, 2024.

KERR SIMPSON ATTORNEYS AT LAW

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By: /s/ George E. Robinson

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*Attorneys for Defendants Frank Petosa
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¹ Because the Removing Defendants have not yet been served with the Summons and Complaint, they do not intend to waive any defenses or arguments due to the filing of this Joint Status Report.

CERTIFICATE OF SERVICE

I hereby certify that on May 8th, 2024 a copy of the foregoing **JOINT STATUS REPORT REGARDING REMOVAL** was filed electronically through the Court's CM/ECF system, which causes service upon all counsel registered thereon.

/s/ Leah Jennings

An employee of McDonald Carano LLP

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